

SURFACE TRANSPORTATION BOARD
SECTION OF ENVIRONMENTAL ANALYSIS

EO-325
CD

POST ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN STB DOCKET NO. AB-55 (Sub-No. 674X)

October 5, 2006

ABANDONMENT TYPE

The time for comments on the Environmental Assessment (EA) has expired in this:

☒ (X) Notice of Exemption ☐ () Petition for Exemption ☐ () Regulated Abandonment

☐ () **NO NEW COMMENTS WERE RECEIVED**

☒ (X) **NEW COMMENTS WERE RECEIVED**

SEA served an Environmental Assessment (EA) for this proceeding on September 19, 2006 for public review and comment. In the EA, SEA recommended five environmental conditions and concluded that the proposed action would not significantly impact the quality of the human environment.

Comments on the EA

SEA received one comment after issuance of the EA. The U.S. Environmental Protection Agency, Region 5 (USEPA), submitted a letter stating that it has no further comments regarding the proposed rail line abandonment. Accordingly, no additional mitigation measures were recommended by USEPA.

On October 5, 2006, SEA contacted the railroad regarding the mitigation measures proposed by the Indiana Department of Natural Resources' Division of Water (IDNR). As stated in the EA, IDNR recommended that CSXT: 1) implement appropriate measures for controlling erosion and to prevent sediment from entering the stream or leaving the construction site; 2) revegetate all bare and disturbed areas in accordance with its August 8, 2006 letter; and 3) where the railroad berm crosses low-lying wet areas, remove or have notches cut to the surrounding grade at frequent intervals to restore the natural hydrology. At this time, we believe that consultation between the railroad and IDNR prior to commencement of salvage activities would be appropriate. Accordingly, we recommend the following modified condition:

To address the concerns of the Indiana Department of Natural Resources' Division of Water (IDNR) regarding matters such as erosion control, CSX Transportation, Inc. shall consult with IDNR prior to commencement of salvage activities to ensure that appropriate measures are implemented during the proposed salvage activities.

Conclusions

The EA comment period has ended. Accordingly, SEA recommends that the conditions recommended in the EA, as modified by the recommendations in this document should be imposed upon any decision granting abandonment authority. The conditions are:

1. The National Geodetic Survey (NGS) identified ten geodetic station markers that may be affected by the proposed abandonment. Therefore, CSX Transportation, Inc. shall notify NGS at least 90 days prior to beginning salvage activities in order to plan for their possible relocation by NGS.
2. To avoid or minimize impacts on fish and wildlife resources, CSX Transportation, Inc. shall conduct salvage activities in the following manner: 1) avoid clearing trees or vegetation; 2) avoid impacts or mitigate unavoidable impacts to wetlands; and 3) if necessary, implement temporary erosion and siltation control devices.
3. CSX Transportation, Inc. shall conduct salvage activities in the following manner: 1) perform salvage activities within the right-of-way and utilize existing public and private crossings; 2) transport crossties and other debris away from the right-of-way, streams, wetlands, and banks of waterways; 3) avoid disturbing the underlying roadbed and any activities that would cause sedimentation or erosion of the soil; 4) avoid dredging or use of fill in the removal of the track material; and 5) take precautions during salvage operations to prevent or control spills from fuels, lubricants or any other pollutant materials from entering any waterways.
4. To address the concerns of the Indiana Department of Natural Resources' Division of Water (IDNR) regarding matters such as erosion control, CSX Transportation, Inc. shall consult with IDNR prior to commencement of salvage activities to ensure that appropriate measures are implemented during the proposed salvage activities.
5. CSX Transportation, Inc. (CSXT) shall retain its interest in and take no steps to alter the historic integrity of all sites, buildings, and structures within the project right-of-way that are eligible for listing or listed in the National Register of Historic Places until the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f, has been completed. CSXT shall report back to the Section of Environmental Analysis regarding any consultations with the Indiana Department of Natural Resources' Department of Historic Preservation and Archaeology (State Historic Preservation Office or SHPO) and any other Section 106 consulting parties. The railroad may not file its consummation notice or initiate salvage activities (including removal of the tracks and ties) until the Section 106 process has been completed and the Board has removed this condition.

If these conditions are imposed, SEA believes that the proposed action will not significantly affect the quality of the human environment.

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CP Dean



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
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SEP 14 2006

REPLY TO THE ATTENTION OF:

B-19J

Dave Geraci
Manager-Network Rationalization
CSX Transportation
500 Water Street - J200
Jacksonville, Florida 32202

Re: **STB Docket No. AB 55 (Sub No. 674X) Proposed CSX Transportation, Inc.
Abandonment of the Riley Spur in Vigo County, Indiana**

Dear Mr. Geraci:

The U.S. Environmental Protection Agency (US EPA) has received the project Environmental Report as submitted to the Surface Transportation Board, dated July 31, 2006, concerning a proposed abandonment of 7.4 miles of rail line segment located between Spring Hill and Clingerman Street, east of Riley, Indiana. We further received your letter dated August 16, 2006. We appreciate your detailed response to our comment letter of August 4, 2006 and find all points of concern are adequately addressed. We have no further comments regarding this rail line abandonment, but we reserve the right to reconsider or undertake additional review if significant new data on the project is made available by the sponsoring agency or other interested parties.

Again, thank you for the information concerning this project and consideration of our review. Should any additional issues or questions arise, feel free to contact Norm West at 312-353-5692 or west.norman@epa.gov.

Sincerely,

Kenneth A. Westlake
Chief, NEPA Implementation Section
Office of Science, Ecosystems, and Communities

Cc: Christa Dean
Surface Transportation Board
1925 K Street, NW, Washington, DC 20423